

JUDGE DORSEY

COPY

VIRGINIA: IN THE CIRCUIT COURT FOR THE COUNTY OF ROANOKE

SANDRA TAYLOR,

Plaintiff,

v.

Case No.: CL18001019

LOWE'S HOME CENTERS, LLC
d/b/a Lowe's

Serve: Corporation Service Company
Registered Agent
100 Shockoe Slip, 2nd Floor
Richmond, VA 23219
(City of Richmond)

Defendant

FILED IN THE CLERK'S OFFICE
OF THE CIRCUIT COURT OF THE
ROANOKE COUNTY CIRCUIT COURT

DATE: 07/05/2018 06:35:17

Theresa A. Rogers
CLERK/DEPUTY CLERK

COMPLAINT

COMES NOW the plaintiff, SANDRA TAYLOR ("plaintiff Taylor"), by counsel, and respectfully moves this Court for judgment against the defendant, LOWE'S HOME CENTERS, LLC, a Virginia Limited Liability Company, ("defendant Lowe's), on the grounds and in the amount as hereinafter set forth:

1. The defendant, LOWE'S HOME CENTERS, LLC., (d/b/a Lowe's) is a limited liability company organized and existing under the laws of the Commonwealth of Virginia and is, upon information and belief, duly authorized to transact business in the Commonwealth of Virginia.

2. At all times alleged herein, defendant Lowe's owned and operated a retail hardware and home improvement store located generally at 4224 Valley Avenue, in the County of Roanoke, Virginia. This facility is hereinafter referred to as "the Store."

3. On or about August 11, 2016, at approximately 12:00 p.m., plaintiff Taylor was an invitee at the Store. At the aforesaid date and time, plaintiff Taylor was on the outside sidewalk of the Store walking towards the outdoor portion of the lawn section.

4. While walking towards the outdoor portion of the lawn section on the sidewalk the plaintiff tripped and fell on a display of lawn pavers and fell head first into a cinder block wall.

5. The pavers, which were similar in color to the sidewalk, created an elevated lip above the sidewalk.

6. The pavers stuck out further than the items on display.

7. There were no identified or natural boundaries (ropes, signs, etc.,) around the display.

8. The aforesaid existence of the pavers on the sidewalk of the Store constituted an unsafe condition.

9. The defendant Lowe's owed plaintiff Taylor a duty of reasonable care, including, but not limited to:

- a. A duty to maintain its premises in a reasonably safe condition; and/or,
 - b. A duty to discover an unsafe condition and to foresee injury therefrom;
- and/or,

- c. A duty to correct unsafe conditions; and/or,
- d. A duty to warn invitees of an unsafe condition.

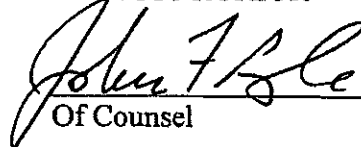
10. The defendant Lowe's knew, or in the exercise of ordinary care should have known, that the aforesaid unsafe condition existed because the defendant created the unsafe condition when it created the paver display.

11. As a direct and proximate result of the negligence and breach of duties owed to her by Lowe's, plaintiff Taylor suffered severe bodily injuries; has suffered and will continue to suffer inconvenience and pain of body and mind; has suffered permanent disfigurement; and has incurred and will continue to incur hospital, doctor and related health care bills in an effort to be cured of her injuries.

WHEREFORE, the plaintiff, SANDRA TAYLOR, by counsel, respectfully moves this Court for judgment against the defendant, LOWE'S HOME CENTERS, LLC., in the amount of **SEVEN HUNDRED FIFTY THOUSAND DOLLARS** (\$750,000.00) in compensatory damages, pre- and post-judgment interest, and the costs on her behalf expended.

A TRIAL BY JURY IS REQUESTED.

SANDRA TAYLOR


Of Counsel

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